REMARKS

This responds to the Office Action mailed on May 16, 2005.

Claims 72-76 are amended, no claims are canceled, and no claims are added; as a result, claims 46-62 and 72-76 are now pending in this application.

Objection to the Specification

The specification has been amended herein to update the priority information to include the issued patent number of the parent application. Withdrawal of the objection is respectfully requested.

Claim Objections

Claims 72 and 74-76 were objected to due to informalities. Claims 72-76 have been amended to correct the inadvertent dependency errors. Applicant thanks the Examiner for identifying these errors.

Double Patenting Rejection

Claims 72-76 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 36, 39, and 51-54 of U.S. Patent No. 6,654,275.

Applicant does not admit that the claims are obvious in view of U.S. Patent No. 6,654,275. However, a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(b)(iv) is enclosed herewith to obviate these rejections.

Allowable Subject Matter

Claims 46-62 were allowed. Applicant thanks the Examiner for the indication of patentable subject matter.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 10/715,105 Filing Date: November 17, 2003

Title: SRAM CELL WITH HORIZONTAL MERGED DEVICES

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6960 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES

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Dkt: 1303.011US2

Date 7. 28-05

By Marvin L. Beekman

Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of July, 2005.

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Name Signature